

OFFICE OF THE ATTORNEY GENERAL



93-00152

JIMMY EVANS
ATTORNEY GENERAL
STATE OF ALABAMA

MAR - 2 1993

ALABAMA STATE HOUSE
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 242-7300

Honorable Lewis Brown
Sheriff
St. Clair County
P. O. Box 549
Ashville, AL 35953-0549

Lotteries - Gambling - Bingo

A bingo licensee must have
been in existence within St.
Clair County for the required
time period.

Dear Sheriff Brown:

This opinion is issued in response to your request for
an opinion from the Attorney General.

QUESTION

Must an organization be established within
St. Clair County for two years or just be
in existence for two years in order to
obtain a bingo license in St. Clair County?

FACTS AND ANALYSIS

Amendment No. 542 to the Constitution of Alabama of 1901
legalizes bingo in St. Clair County subject to the provision
that no license shall be issued to an organization which has
not been in existence for at least 24 months (2 years)
immediately prior to the issuance of the license. The
Amendment specifically states:

"(2) No bingo permit or license
shall be issued to any nonprofit

organization unless such organization shall have been in existence for at least 24 months immediately prior to the issuance of the permit or license . . ."

In an opinion to Honorable June Bugg, Member, House of Representative, dated October 7, 1992, A.G. No. 93-00020, we addressed an almost identical question with respect to legalized bingo in Etowah County. In that opinion, we held that a bingo licensee must have been in existence within the jurisdiction of Etowah County for the required time period, which was five years in that case. We also stated that an organization based outside Etowah County, which does not have a local chapter or unit within the jurisdiction of Etowah County, may not be issued a bingo license. The rationale applied in that opinion also applies to this opinion.

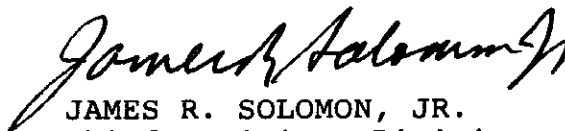
CONCLUSION

Accordingly, Amendment No. 542 requires that an organization shall have been in existence within the jurisdiction of St. Clair County for at least 24 months immediately prior to the issuance of the permit or license for the operation of bingo games within St. Clair County.

I hope this sufficiently answers your question. If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

JIMMY EVANS
Attorney General
By:


JAMES R. SOLOMON, JR.
Chief, Opinions Division

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